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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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MICHAEL J. MOFFATT
FULWIDER PATTON LEE AND UTECHT LLC
200 OCEANGATE, SUITE 1550
LONG BEACH, CA 90802

EXAMINER

KOYAMA, KUMIKO C

ART UNIT PAPER NUMBER

2876

DATE MAILED: 07/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/935,055

Applicant(s)

SHOEMAKER, STEPHEN P.

Examiner

Kumiko C. Koyama

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Acknowledgement is made of receipt of Response filed on April 14, 2003.

Claim Objections

1. Claim 3 is objected to because of the following informalities:

Claim 3 was amended by the Applicant to correct minor informalities indicated by the examiner in the Office Action mailed on August 29, 2002 (see Amendment filed on November 4, 2002). However, the amended claim added a new informality to the claim. See page 2 of Amendment filed on November 4, 2002.

Re claim 3: "the signal analyzer" should be changed to --a signal analyzer--.

Appropriate correction is required.

Drawings

2. Figure 4 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claim 3 is rejected under 35 U.S.C. 102(a) as being anticipated by the admitted prior art disclosed by the Applicant.

The admitted prior art discloses a ticket counter device 16 also serving as a housing that includes rollers 20 to pull the tickets 10 into the counter device 16 (Page 1, lines 18+). The admitted prior art also discloses that tickets printed with a barcode (Page 3, lines 3+). Fig. 3 of the present application, also indicated as prior art, shows an illuminator 22 serving as a light source positioned on a first side of the ticket and a detector 26 positioned on a second side of the tickets. The detector 26 detects a characteristic analog signal from the ticket and sends it to the processing electronics 28, where the signal is converted from analog signal to a digital signal 30, which serves as a signal analyzer (Page 2, line 6-8).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art disclosed by the Applicant in view of Goodman (US 4,577,099).

The admitted prior art discloses a ticket counter device 16 also serving as a housing that includes rollers 20 to pull the tickets 10 into the counter device 16 (Page 1, lines 18+). The

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admitted prior art also discloses that tickets printed with a barcode (Page3, lines 3+). Fig. 3 of the present application, also indicated as prior art, shows an illuminator 22 serving as a light source positioned on a first side of the ticket and a detector 26 positioned on a second side of the tickets. The detector 26 detects a characteristic analog signal from the ticket and sends it to the processing electronics 28, where the signal is converted from analog signal to a digital signal 30, which serves as a signal analyzer (Page 2, line 6-8).

The admitted prior art fails to disclose that the ticket is a translucent ticket with opaque pattern.

Goodman teaches an opaque pattern on a translucent background and an apparatus that uses rear/back illumination for the purpose of reading, recording, copying, inspecting or viewing and sensing the pattern (col 1, lines 7-13). Goodman also discloses that a suitable optical pattern sensing apparatus is positioned adjacent the front side of the pattern (col 1, lines 35-41).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Goodman to the admitted prior art in order enhance the ticket counting method by adding or increasing information storage on the ticket as well as maintain and utilize the conventional ticket counting apparatus that has the illumination on one side and the sensor/detector on the other side, which involves less expenses by avoiding the purchase of a new apparatus.

7. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior as modified by Goodman as applied to claim 1 above, and further in view of Paup (US 4,027,142). The teachings of the admitted prior art as modified by Goodman have been discussed above.

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The admitted prior art as modified by Goodman teaches a ticket counting apparatus.

However, the admitted prior art as modified by Goodman fail to specifically teach running a total of verified tickets and running a total of non-verified tickets.

Paup teaches a verifying means through which the train passes for sensing and comparing the coded representation applied to each document. Paup further teaches a counter means for counting the number of consecutive documents with incomplete code printing (col 12 lines 28-31, lines 47-50).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Paup to the teachings of the admitted prior art as modified by Goodman in order to determine if the barcode was detected and decoded properly from the ticket, which can further determine whether the counting apparatus is damaged or if there are problems occurring with the ticket.

8. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art as modified by Goodman as applied to claim 3 above, and further in view of Wiklof (US 6,345,765). The teachings of the admitted prior art and Goodman have been discussed above.

The admitted prior art as modified by Goodman fails to teach that a the signal analyzer is comprised of a controller that counts, analyzes and determines barcode similarity relative to a location code.

Wiklof further teaches a microprocessor receives the electrical signal directly and decodes it or the electrical signal is stored in the memory 302 for later analysis by the microprocessor. Wiklof also teaches that the scanner 100 need not obtain a perfect profile or

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stored image of a bar code because the microprocessor 300 has prior knowledge of the bar code structure and an ideal profile produced.

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Wiklof to the teachings of the admitted prior art as modified by Goodman in order quickly and accurately obtain the information encoded in the barcode.

9. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art as modified by Goodman as applied to claim 3 above, and further in view of Horniak (5,211,093). The teachings of the admitted prior art as modified by Goodman have been discussed above.

Horniak teaches an apparatus for counting tickets comprising a housing (col 5 lines 4-6), a transport device 22 coupled to the housing capable of guiding at least one ticket into the housing (col 3 lines 1-4). Horniak discloses that the apparatus includes a rotating blade which permanently destroys the tickets once they have been counted (col 2 lines 13-14).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Horniak to the teachings of the admitted prior art as modified by Goodman in order to invalidate tickets that have already been counted so that the same ticket may not be used twice, which also insures that each and every ticket users purchase a ticket.

10. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art as modified by Goodman as applied to claim 3 above, and further in view of Sato (US

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4,073,234). The teachings of the admitted prior art as modified by Goodman have been discussed above.

The admitted prior art as modified by Goodman fail to teach a ticket count display.

Sato discloses a bar code printing machine comprising a ticket count display 32.

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Sato the teachings of the admitted prior art as modified by Goodman in order for the ticket counter attendant to quickly read the number and/or identify if the ticket was properly read or counted by the apparatus, which insures that each and every ticket has been detected and counted.

11. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art as modified by Goodman as applied to claim 3 above, and further in view of Burns et al (US 6,048,269). The teachings of admitted prior art as modified by Goodman have been discussed above.

The admitted prior art as modified by Goodman fail to teach that the apparatus further comprises a receipt printer.

Burns discloses a cash out slip/ticket having a barcode (col 5 lines 50-56) and a cash out slip 222 is inserted into the bar code reader 304, the CPU 100 will validate the cash out slip 222 by making sure that it had not already been paid or otherwise valid. If it is valid, then the currency would be paid out by the change station attendant. The attendant could be advised of the amount of currency to be paid to the player by a monitor display or a receipt printer (col 7 lines 30-38).

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Therefore, it would have been obvious to an artisan ordinary skill in the art at the time the invention was made to integrate the teachings of the admitted prior art as modified by Goodman in order to print out an indication of how many tickets were redeemed or how much money worth of tickets were redeemed, which helps the attendant provide the customer with prizes and cash equivalent of the printed amount.

12. Claim 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art in view of Goodman and Kuze (US 4,177,377).

The admitted prior art discloses a ticket counter device 16 also serving as a housing that includes rollers 20 to pull the tickets 10 into the counter device 16 (Page 1, lines 18+). The admitted prior art also discloses that tickets printed with a barcode (Page 3, lines 3+). Fig. 3 of the present application, also indicated as prior art, shows an illuminator 22 serving as a light source positioned on a first side of the ticket and a detector 26 positioned on a second side of the tickets. The detector 26 detects a characteristic analog signal from the ticket and sends it to the processing electronics 28, where the signal is converted from analog signal to a digital signal 30, which serves as a signal analyzer (Page 2, line 6-8). Although not specifically mentioned in the disclosure, barcode is considered an alternating pattern of white and black bars.

The admitted prior art fails to disclose that the ticket is a translucent ticket with opaque pattern.

Goodman teaches an opaque pattern on a translucent background and an apparatus that uses rear/back illumination for the purpose of reading, recording, copying, inspecting or viewing and sensing the pattern (col 1, lines 7-13). Recording is considered printing. Goodman also discloses that a suitable optical pattern sensing apparatus is positioned adjacent the front side of

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the pattern (col 1, lines 35-41). As shown in the side view of Fig. 3, reference number 12 is the opaque pattern and the over all pattern viewed from the sensing device 22 includes an alternating pattern of opaque pattern 12 and the translucent substrate 24.

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Goodman to the admitted prior art in order enhance the ticket counting method by adding or increasing information storage on the ticket as well as maintain and utilize the conventional ticket counting apparatus that has the illumination on one side and the sensor/detector on the other side, which involves less expenses by avoiding the purchase of a new apparatus.

Kuze discloses a sheet bearing lines printed with non-opaque ink (col 3 lines 8-9).

Therefore, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate the teachings of Kuze to the teachings of admitted prior art as modified by Goodman to print or utilize non-opaque ink in order to differentiate between the barcode and other information that the ticket may provide, so that the counter apparatus does not read the non-barcoded information. Such modification prevents the apparatus from reading incorrect information, which can effect the count as well as the apparatus.

It would also have been obvious to an artisan of ordinary skill in the art to print the pattern one side of the ticket and cover both side of the ticket with non-opaque ink for the same motivation state above.

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Response to Arguments

13. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Upon further reviewing the application and the prior art references, the examiner has found that the background disclosure of the present application is a relevant prior art in rejecting the claims. Therefore, new grounds of rejection have been applied.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kumiko C. Koyama whose telephone number is 703-305-5425. The examiner can normally be reached on Monday-Friday 7am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 703-305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Kumiko C. Koyama
Kumiko C. Koyama
June 27, 2003


MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800